

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Sections
5 10-20.12 and 34-19 as follows:

6 (105 ILCS 5/10-20.12) (from Ch. 122, par. 10-20.12)

7 Sec. 10-20.12. School year - School age. To establish and
8 keep in operation in each year during a school term of at least
9 the minimum length required by Section 10-19, a sufficient
10 number of free schools for the accommodation of all persons in
11 the district who are 5 years of age or older but under 21 years
12 of age, and to secure for all such persons the right and
13 opportunity to an equal education in such schools; provided
14 that (i) children who will attain the age of 5 years on or
15 before September 1 of the year of the 1990-1991 school term and
16 each school term thereafter may attend school upon the
17 commencement of such term and (ii) based upon an assessment of
18 a child's readiness, children who have attended a
19 State-certified, private preschool and continued their
20 education at that school through kindergarten and who will
21 attain the age of 6 years on or before December 31 of the year
22 of the 2009-2010 school term and each school term thereafter
23 may attend first grade upon commencement of such term. Based

1 upon an assessment of a child's readiness to attend school, a
2 school district may permit a child to attend school prior to
3 the dates contained in this Section. In any school district
4 operating on a full year school basis children who will attain
5 age 5 within 30 days after the commencement of a term may
6 attend school upon the commencement of such term and, based
7 upon an assessment of a child's readiness, children who have
8 attended a State-certified, private preschool and continued
9 their education at that school through kindergarten and will
10 attain age 6 within 4 months after the commencement of a term
11 may attend first grade upon the commencement of such term. The
12 school district may, by resolution of its board, allow for a
13 full year school plan.

14 (Source: P.A. 87-359.)

15 (105 ILCS 5/34-19) (from Ch. 122, par. 34-19)

16 Sec. 34-19. By-laws, rules and regulations; business
17 transacted at regular meetings; voting; records. The board
18 shall, subject to the limitations in this Article, establish
19 by-laws, rules and regulations, which shall have the force of
20 ordinances, for the proper maintenance of a uniform system of
21 discipline for both employees and pupils, and for the entire
22 management of the schools, and may fix the school age of
23 pupils, the minimum of which in kindergartens shall not be
24 under 4 years, except that, based upon an assessment of a
25 child's readiness, children who have attended a

1 State-certified, private preschool and continued their
2 education at that school through kindergarten and who will
3 attain the age of 6 years on or before December 31 of the year
4 of the 2009-2010 school term and each school term thereafter
5 may attend first grade upon commencement of such term, and in
6 grade schools shall not be under 6 years. It may expel, suspend
7 or, subject to the limitations of all policies established or
8 adopted under Section 14-8.05, otherwise discipline any pupil
9 found guilty of gross disobedience, misconduct or other
10 violation of the by-laws, rules and regulations. The bylaws,
11 rules and regulations of the board shall be enacted, money
12 shall be appropriated or expended, salaries shall be fixed or
13 changed, and textbooks and courses of instruction shall be
14 adopted or changed only at the regular meetings of the board
15 and by a vote of a majority of the full membership of the
16 board; provided that notwithstanding any other provision of
17 this Article or the School Code, neither the board or any local
18 school council may purchase any textbook for use in any public
19 school of the district from any textbook publisher that fails
20 to furnish any computer diskettes as required under Section
21 28-21. The board shall be further encouraged to provide
22 opportunities for public hearing and testimony before the
23 adoption of bylaws, rules and regulations. Upon all
24 propositions requiring for their adoption at least a majority
25 of all the members of the board the yeas and nays shall be
26 taken and reported. The by-laws, rules and regulations of the

1 board shall not be repealed, amended or added to, except by a
2 vote of 2/3 of the full membership of the board. The board
3 shall keep a record of all its proceedings. Such records and
4 all by-laws, rules and regulations, or parts thereof, may be
5 proved by a copy thereof certified to be such by the secretary
6 of the board, but if they are printed in book or pamphlet form
7 which are purported to be published by authority of the board
8 they need not be otherwise published and the book or pamphlet
9 shall be received as evidence, without further proof, of the
10 records, by-laws, rules and regulations, or any part thereof,
11 as of the dates thereof as shown in such book or pamphlet, in
12 all courts and places where judicial proceedings are had.

13 Notwithstanding any other provision in this Article or in
14 the School Code, the board may delegate to the general
15 superintendent or to the attorney the authorities granted to
16 the board in the School Code, provided such delegation and
17 appropriate oversight procedures are made pursuant to board
18 by-laws, rules and regulations, adopted as herein provided,
19 except that the board may not delegate its authorities and
20 responsibilities regarding (1) budget approval obligations;
21 (2) rule-making functions; (3) desegregation obligations; (4)
22 real estate acquisition, sale or lease in excess of 10 years as
23 provided in Section 34-21; (5) the levy of taxes; or (6) any
24 mandates imposed upon the board by "An Act in relation to
25 school reform in cities over 500,000, amending Acts herein
26 named", approved December 12, 1988 (P.A. 85-1418).

1 (Source: P.A. 88-45; 89-15, eff. 5-30-95.)

2 Section 99. Effective date. This Act takes effect July 1,
3 2009.